

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 20,492, 2 ta' Ottubru, 2020

Taqsimha B

L.N. 382 of 2020

**PLANT QUARANTINE ACT
(CAP. 433)**

**Vegetable Propagation and Planting Material (Amendment No. 2)
Regulations, 2020**

IN EXERCISE of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Agriculture, Fisheries and Animal Rights, has made the following regulations:-

1. (1) The title of these regulations is Vegetable Propagation and Planting Material (Amendment No. 2) Regulations, 2020 and they shall be read and construed as one with the Vegetable Propagation and Planting Material Regulations, hereinafter referred to as "the principal regulations".

Citation and scope.

S.L. 433.13.

(2) The scope of these regulations is to transpose Commission Implementing Directive (EU) 2020/177 of 11 February 2020 amending Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/55/EC, 2002/56/EC and 2002/57/EC, Commission Directives 93/49/EEC and 93/61/EEC and Implementing Directives 2014/21/EU and 2014/98/EU as regards pests of plants on seeds and other plant reproductive material.

2. In regulation 3 of the principal regulations, immediately after the definition "propagation material", there shall be added the following new definition:

Amends regulation 3 of the principal regulations.

" "regulated non-quarantine pests", hereafter referred to as "RNQPs", means a pest that fulfils all the conditions set out under Article 36 of Regulation (EU) 2016/2031 of the European Parliament and the Council as regards protective measures against pests of plants, and is included in the list of Union regulated non-quarantine pests under Annex IV of Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019;"

3. Items 4 and 5 of Part B of Schedule II to the principal regulations shall be substituted by the following new items:

Amends Part B of Schedule II to the principal regulations.

"(4) The vegetable propagating and planting material

shall, at least on visual inspection, be found at the place of production to be practically free from all pests listed in Schedule III, with regard to the respective propagating and planting material. The presence of regulated non-quarantine pests (RNQPs) on vegetable propagating and planting material that is marketed shall, at least upon visual inspection, not exceed the respective thresholds set out in Schedule III.

The vegetable propagating and planting material shall upon visual inspection be found to be practically free from any pests, other than the pests listed in Schedule III with regard to the respective propagating and planting material, which reduce the usefulness and quality of the vegetable propagating and planting material.

(5) The vegetable propagating and planting material shall also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and regulated non-quarantine pests provided for in Regulation (EU) 2016/2031 and in the implementing acts adopted pursuant to that Regulation, including with the measures adopted pursuant to Article 30(1) of that Regulation."

Substitutes
Schedule III to
the principal
regulations.

4. Schedule III to the principal regulations, shall be substituted by the following new Schedule:

"SCHEDULE III

RNQPs concerning vegetable propagating and planting material

Bacteria		
RNQPs or symptoms caused by RNQPs	Vegetable propagating and planting material (genus or species)	Threshold for the presence of RNQPs on the vegetable propagating and planting material
<i>Clavibacter michiganensis</i> ssp. <i>michiganensis</i> (Smith) Davis et al. [CORBMI]	<i>Solanum lycopersicum</i> L.	0%
<i>Xanthomonas euvesicatoria</i> Jones et al. [XANTEU]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
<i>Xanthomonas gardneri</i> (ex Šutič 1957) Jones et al. [XANTGA]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
<i>Xanthomonas perforans</i> Jones et al. [XANTPF]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%

<i>Xanthomonas vesicatoria</i> (ex Doidge) Vauterin et al. [XANTVE]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
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Fungi and oomycetes		
RNQPs or symptoms caused by RNQPs	Vegetable propagating and planting material (genus or species)	Threshold for the presence of RNQPs on the vegetable propagating and planting material
<i>Fusarium</i> Link (anamorphic genus) [1FUSAG] other than <i>Fusarium oxysporum</i> f. sp. <i>albedinis</i> (Kill. & Maire) W.L. Gordon [FUSAAL] and <i>Fusarium circinatum</i> Nirenberg & O'Donnell [GIBBCI]	<i>Asparagus officinalis</i> L.	0%
<i>Helicobasidium brebissonii</i> (Desm.) Donk [HLCBBR]	<i>Asparagus officinalis</i> L.	0%
<i>Stromatinia cepivora</i> Berk. [SCLOCE]	<i>Allium cepa</i> L., <i>Allium fistulosum</i> L., <i>Allium porrum</i> L., <i>Allium sativum</i> L.	0%
<i>Verticillium dahliae</i> Kleb. [VERTDA]	<i>Cynara cardunculus</i> L.	0%

Nematodes		
RNQPs or symptoms caused by RNQPs	Vegetable propagating and planting material (genus or species)	Threshold for the presence of RNQPs on the vegetable propagating and planting material
<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]	<i>Allium cepa</i> L., <i>Allium sativum</i> L.	0%

Viruses, viroids, virus-like diseases and phytoplasmas		
RNQPs or symptoms caused by RNQPs	Vegetable propagating and planting material (genus or species)	Threshold for the presence of RNQPs on the vegetable propagating and planting material
Leek yellow stripe virus [LYSV00]	<i>Allium sativum</i> L.	1%
Onion yellow dwarf virus [OYDV00]	<i>Allium cepa</i> L., <i>Allium sativum</i> L.	1%
Potato spindle tuber viroid [PSTVD0]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
Tomato spotted wilt tospovirus [TSWV00]	<i>Capsicum annuum</i> L., <i>Lactuca sativa</i> L., <i>Solanum lycopersicum</i> L., <i>Solanum melongena</i> L.	0%
Tomato yellow leaf curl virus [TYLCV0]	<i>Solanum lycopersicum</i> L.	0%

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